

REMARKS

Claims 1-20 and 39-44 are pending in the application with claims 6, 12, 39, 41, and 43 amended herein.

Claims 43 and 44 stand rejected under 35 USC 112, second paragraph, as being indefinite. Claim 43 is amended herein as required by adding a bonded hydrogen to correct the typographical error. Formula 3 on page 21 of the specification is similarly amended. No new matter was added. Applicant requests withdrawal of the rejection.

Claims 39-44 stand rejected under 35 USC 112, second paragraph, as being indefinite. Without admitting to the propriety of the rejection, Applicant herein amends claims 39, 41, and 43 to set forth a conventional Markush format. Additional moieties are added to the Markush groups of claims 39, 41, and 43 as supported respectively by pages 17-18, pages 19-20, and pages 21-22 of the present specification. Applicant requests withdrawal of the rejection.

Claims 6-15 stand rejected under 35 USC 112, first paragraph, as containing subject matter that was not described in the specification. Without admitting to the propriety of the rejection, Applicant herein amends claims 6 and 12 to set forth "non-polymeric urethane." Applicant requests withdrawal of the rejection.


Claims 1-20 and 39-44 stand rejected for obviousness-type double patenting as being unpatentable over various claims of eight different patents and provisionally rejected over one pending application as stated on pages 3-6 of the Office Action. Regarding the provisional rejection, Applicant notes that co-pending Application No. 09/078,190 issued as Patent No. 6,620,228 on September 16, 2003. Applicant herewith submits a timely filed terminal disclaimer including the eight patents listed in the Office Action and the newly

issued patent overcoming the double patenting rejections. Applicant requests withdrawal of the rejections in the next Office Action.

Applicants request allowance of all pending claims 1-20 and 39-44 in the next Office Action. If any objection arises that may prevent allowance of the claims in the next Office Action, then Applicant suggests that the Examiner contact the undersigned by telephone to dispose of any such objection in the most efficient manner possible.

Respectfully submitted,

Dated: 16 Sep 2003

By: 
James E. Lake
Reg. No. 44,854